

To:

Members of Scrutiny Committee

(Councillors P H Murphy (Chairman), N Thwaites (Vice Chairman), I Aldridge, R Clifford, G S Dowding, B Leaker, B Maitland-Walker, J Parbrook, and R Woods)

Members of Cabinet

(Councillor A Trollope-Bellew (Leader), M Chilcott (Deputy Leader), M Dewdney, K J Mills, C Morgan, S J Pugsley, K H Turner, D J Westcott)

Our Ref CS

Contact Emily McGuinness emcguinness@westsomerset.gov.uk

Date 13 December 2016

**THE PRESS AND PUBLIC ARE WELCOME TO ATTEND THE MEETING
THIS DOCUMENT CAN BE MADE AVAILABLE IN LARGE PRINT, BRAILLE, TAPE FORMAT
OR IN OTHER LANGUAGES ON REQUEST**

Dear Councillor

I hereby give you notice to attend the following meeting:

SCRUTINY COMMITTEE

Date: Thursday 15 December 2016

Time: 3.30 pm

Venue: Council Chamber, Council Offices, Williton

Please note that this meeting may be recorded. At the start of the meeting the Chairman will confirm if all or part of the meeting is being recorded.

You should be aware that the Council is a Data Controller under the Data Protection Act. Data collected during the recording will be retained in accordance with the Council's policy.

Therefore unless you advise otherwise, by entering the Council Chamber and speaking during Public Participation you are consenting to being recorded and to the possible use of the sound recording for access via the website or for training purposes. If you have any queries regarding this please contact Committee Services on 01643 703704.

Yours sincerely



BRUCE LANG
Proper Officer

RISK SCORING MATRIX

Report writers score risks in reports uses the scoring matrix below

Risk Scoring Matrix

Likelihood	5	Almost Certain	Low (5)	Medium (10)	High (15)	Very High (20)	Very High (25)
	4	Likely	Low (4)	Medium (8)	Medium (12)	High (16)	Very High (20)
	3	Possible	Low (3)	Low (6)	Medium (9)	Medium (12)	High (15)
	2	Unlikely	Low (2)	Low (4)	Low (6)	Medium (8)	Medium (10)
	1	Rare	Low (1)	Low (2)	Low (3)	Low (4)	Low (5)
			1	2	3	4	5
			Negligible	Minor	Moderate	Major	Catastrophic
Impact							

Likelihood of risk occurring	Indicator	Description (chance of occurrence)
1. Very Unlikely	May occur in exceptional circumstances	< 10%
2. Slight	Is unlikely to, but could occur at some time	10 – 25%
3. Feasible	Fairly likely to occur at same time	25 – 50%
4. Likely	Likely to occur within the next 1-2 years, or occurs occasionally	50 – 75%
5. Very Likely	Regular occurrence (daily / weekly / monthly)	> 75%

- Mitigating actions for high ('High' or above) scoring risks are to be reflected in Service Plans, managed by the Group Manager and implemented by Service Lead Officers;
- Lower scoring risks will either be accepted with no mitigating actions or included in work plans with appropriate mitigating actions that are managed by Service Lead Officers.

SCRUTINY COMMITTEE

Meeting to be held on Thursday 15 December 2016 at 3.30 pm

Council Chamber, Williton

AGENDA

1. **Apologies for Absence**

2. **Minutes**

Minutes of the Scrutiny Committee held on 24 November 2016, to be approved and signed as a correct record – **TO FOLLOW.**

3. **Declarations of Interest**

To receive and record any declarations of interest in respect of any matters included on the Agenda for consideration at this Meeting.

4. **Public Participation**

The Chairman to advise the Committee of any items on which members of the public have requested to speak and advise those members of the public present of the details of the Council's public participation scheme.

For those members of the public wishing to speak at this meeting there are a few points you might like to note.

A three-minute time limit applies to each speaker and you will be asked to speak before Councillors debate the issue. There will be no further opportunity for comment at a later stage. Your comments should be addressed to the Chairman and any ruling made by the Chair is not open to discussion. If a response is needed it will be given either orally at the meeting or a written reply made within five working days of the meeting.

5. **Cabinet Forward Plan**

To review the latest Cabinet Forward Plan for the months of November onwards, published on 7 December 2016. – **SEE ATTACHED.**

6. **Chairman's Announcements**

An opportunity to update the Committee on any matters of interest or matters arising.

8. **Joint Lottery Report.**

To consider Report No. WSC 146/16 to be presented by Councillor Westcott – **SEE ATTACHED.**

The purpose of the report is to to seek agreement to launch an online automated Joint Lottery, which will help fund discretionary support to voluntary and community sector (VCS) organisations active across the whole of West Somerset District and Taunton Deane Borough.

9. Transfer of Public Conveniences.

To consider Report No. WSC 147/16 to be presented by Councillor Chilcott – **SEE ATTACHED.**

The purpose of the report is to provide information to consider the options for public convenience buildings after 1st April 2017 to include where possible transfer to Town, Parish Councils or Community Groups and to also consider alternative options.

10. Williton Hospital Stroke Unit Consultation

To consider Report No. WSC 148/16 - **SEE ATTACHED.**

The purpose of the report is for The Somerset Clinical Commissioning Group (SCCG) to provide further information on the proposed temporary closure of 6 specialist beds at Williton Hospital Stroke Unit and to answer questions on the issue.

11. Scrutiny Committee Work Plan

To receive items and review the Scrutiny Committee Work plan for 2016/17. - **SEE ATTACHED.**

COUNCILLORS ARE REMINDED TO CHECK THEIR POST TRAYS

The Council's Vision:

To enable people to live, work and prosper in West Somerset

The Council's Corporate Priorities:

- Local Democracy:
Securing local democracy and accountability in West Somerset, based in West Somerset, elected by the people of West Somerset and responsible to the people of West Somerset.
- New Nuclear Development at Hinkley Point
Maximising opportunities for West Somerset communities and businesses to benefit from the development whilst protecting local communities and the environment.

SCRUTINY COMMITTEE

Minutes of the Meeting held on 24th November 2016 at 3.30 pm

Present:

Councillor P H MurphyChairman
Councillor N ThwaitesVice-Chairman

Councillor I Aldridge
Councillor B Maitland-Walker
Councillor R Woods

Councillor G S Dowding
Councillor B Leaker
Councillor J Parbrook

Members in Attendance:

Councillor M Chilcott
Councillor A Hadley
Councillor K J Mills
Councillor D Westcott

Councillor M Dewdney
Councillor R Lillis
Councillor A Trollope-Bellew

Officers in Attendance:

Corporate Strategy and Performance Manager (P Harding)
Assistant Director – Resources (P Fitzgerald)
Assistant Director – Operational Delivery (C Hall)
Finance Manager (J Nacey)
Asset Manager (T Child)
Economic Regeneration and Tourism Manager (C Matthews)
Media and Communications Officer (D Rundle)
Democratic Services Co-ordinator (E McGuinness)
Democratic Services Officer (M Prouse)
Democratic Services Officer (A Randell)

SC 37 Apologies for Absence

An apology was received by Councillor R Clifford.

SC 38 Minutes

(Minutes of the Meeting of the Scrutiny Committee held on 13 October 2016 – circulated with the Agenda.)

RESOLVED that the Minutes of the Scrutiny Committee held on 13 October 2016 be confirmed as a correct record.

SC 39 Declarations of Interest

Members present at the meeting declared the following personal interests in their capacity as a Member of a County, Parish or Town Council:

Name	Minute No.	Description of Interest	Personal or Prejudicial or Disclosable Pecuniary	Action Taken
Cllr B Maitland - Walker	All Items	Carhampton	Personal	Spoke and voted
Cllr P H Murphy	All Items	Watchet	Personal	Spoke and voted
Cllr J Parbrook	All items	Minehead	Personal	Spoke and voted
Cllr N Thwaites	All items	Dulverton	Personal	Spoke and voted

Further declarations were stated by:-

Councillor Hadley – Item 9. Personal Interest and the Chairman of Minehead Events Group.

Councillor Lillis declared a personal interest relating to agenda Item 9, Minehead Events Group.

Councillor Mills declared a personal interest relating to agenda Item 9, Minehead Events Group.

Councillor Chilcott declared a personal interest relating to agenda Item 9, Minehead Events Group.

Councillor Maitland Walker declared a personal interest relating to agenda Item 9, Minehead Events Group and item 12. Recycle More, Domestic Waste Collection Services.

SC 40 Public Participation

The following members of the public made statements on the following agenda items:-

Cessation of Funding for Public Conveniences

- Cllr John Irven from Watchet Town Council.
- Geoff Williams, Chair of Old Cleeve Parish Council
- Margaret Smith of Old Cleeve Parish Council
- Cllr Leslie Smith from Minehead Town Council
- Alison Hart from Blue Anchor,

- Cllr Maureen Smith from Minehead Town Council

Minehead Events Group

- Mr Dave Jackson
- Cllr Andrew Parbrook from Minehead Town Council.

SC 41 Notes of Key Cabinet Decisions/Action Points

(Copy of Notes of Cabinet Decisions/Action Points, circulated at the meeting.)

RESOLVED that the Key Cabinet Decisions/Action Points from the meeting of the Cabinet held on 2 November 2016, be noted.

SC 42 Cabinet Forward Plan

(Copy of the Cabinet Forward Plan published 2 November 2016, circulated at the meeting)

RESOLVED that the Cabinet Forward Plan published on 2 November 2016, be noted.

SC 43 Chairman's Announcements

The Chairman announced that the item relating to the Cessation of Funding for Public Conveniences was a report that had been written by the Chairman of The Scrutiny Committee.

SC 44 Cessation of Funding for Public Conveniences – A Scrutiny Review of Progress with Agreed Policy

The report WSC 130/16 was introduced by the Chairman, Councillor Murphy.

The Chairman reminded Members that as part of its Budget Setting for 2016/2017, the Council had agreed a saving of £107,000 from ceasing to fund the provision of public conveniences and a saving of £6,500 from converting the 20p coin slots to 50p coin slots in chargeable public conveniences. This report therefore sought to establish the progress to date with achieving these budget savings and the process that had been followed.

The purpose of the report was therefore to assess the likelihood of these budget savings being achieved within the agreed timescales.

During discussion, the following points were raised:-

- Members of the public were thanked for their statements.

- A 'Heads of Terms' document had been provided to Members for them to comment on in relation to the proposed transfer of public conveniences to Town or Parish Council who had expressed an interest in retaining the facilities. The deadline for such submission to be made was the 16 December 2016. This would enable the consideration of submissions to be made in the middle of January for the Council to provide a response.
- Concerns were expressed over an apparent lack of communication with Town/Parish Councils about the closure proposals, especially those toilets at Blue Anchor, and the impact this could cause on tourism.
- A suggestion was made that the cost of legal fees should not be picked up by Parish Councils.
- Parish Councils, in some cases, could not meet the timescale involved to make the asset transfer timetable.
- Members requested that Cabinet urgently review the saving proposals relating to public conveniences to Parish Councils

RESOLVED that: - The Scrutiny Committee recommends the Cabinet to urgently review the support offered to Parishes in respect of possible toilet transfers, review the achievability of the agreed Budget Savings and consider ways in which communications could be improved.

SC 45 Minehead Events Group

The report WSC 132/16 was introduced by Councillor Mills along with a presentation from Dave Jackson and Councillor Andrew Hadley, as a volunteer of Minehead Events Group

The purpose of the report was to set out the proposed governance arrangements for the Minehead Events Group.

During discussion, the following points were raised:-

- Councillors voiced broad support and commended the work of the group.
- It was acknowledged by the Minehead Events Group that consultation with Minehead Town Council should have been undertaken. Regular reports were provided where appropriate.
- The total membership was nine which included three officers.
- Suggestion was made that where possible, the knowledge of other community groups could be drawn upon when needed.
- The governance arrangements were considered. It was questioned if the annual accounts should be audited. Events insurance covered up to five events per year.
- The group was sustainable financially with a focus on income that could be generated through the events. There were sufficient safeguards in place in instances such as the signing of cheques.
- Some concerns were expressed as to a potential lack of accountability of the group. The group was accountable in the first instance following the award of the grant by the Coastal Community Team.

- The Events Group were commended for its recognition of the issues encountered over a lack of consultation in setting up the 'Events Wheel' during the summer.
- Councillors congratulated the work of the Minehead Events Group.

RESOLVED that:- The Scrutiny Committee

- 1) Note the report and endorse the constitution and governance arrangements for the Minehead Events Group.
- 2) Note that the residual funding held by the previously un-constituted Events Group was to be transferred to the new group
- 3) Recommend that the Minehead Events Group provide regular reports to the Council and, where relevant and appropriate, to work closely with the Minehead Coastal Community Team.

SC 46 Fees and Charges 2017/2018

Councillor A Trollope-Bellew declared a prejudicial interest in private water supplies

The report WSC 133/16 was introduced by Councillor Chilcott

The purpose of this report was to set out the proposed fees and charges for 2017/2018, and provide comments on the proposals for consideration by Cabinet Members for their recommendations to Full Council.

During discussion, the following points were raised:-

- It was clarified that for services which provided a statutory service, charges should only be applied to cover the costs of delivering the service.
- Watchet and Minehead Harbours were responsible for collecting fees from commercial vessels. Recovery of such costs were reflected in their charges.
- It was currently left to the honesty of boat owners / users to pay the Slipway Fees at Watchet.
- Members requested if off street car park machines could be modified to process any slipway fees.
- There were no proposed changes to car park fees. Officers would clarify outside of the meeting if there was to be any realignment of the Dulverton Car Parks

RESOLVED that:- The Scrutiny Committee supports the proposed fees and charges for 2017/2018.

SC 47 Budget Update and Savings Options 2017/2018

The report WSC 134/16 was introduced by Councillor Chilcott

The purpose of this report was to provide Scrutiny with an update on the budget estimates for 2017/2018 and Medium Term Financial Plan (MTFP forecasts), and to consult with Members on a range of savings options being considered for the Budget.

During discussion, the following points were raised:-

- The budget savings reported back by service managers had been fed directly into the MTFP.
- A 0.5% tax would be imposed by Central Government on payroll which would provide a fund which could be drawn on to encourage the use of apprentices.
- Clarification was given that the contribution from Central Government would not cover an apprentice salary.
- Members were reassured that the 10% reduction in the Legal Services budget would not have an adverse impact on access to legal services.
- Councillors requested that an Equalities Impact Assessment be completed relating to the cutting to funding for the Citizens Advice Bureau. Members were reminded that there would still remain a considerable contribution following the reduction.
- Clarification was still awaited on funding for the New Homes Bonus. Proposed changes to the current scheme from Central Government were anticipated before February 2017

RESOLVED that:- The Scrutiny Committee

- 1) Note the latest budget estimates and other budget adjustments being considered for the 2017/2018 Budget.
- 2) Support a recommendation to Cabinet and Council to transfer £75,000 of current year underspend to the Business Rates Smoothing Reserve.
- 3) Support a recommendation for the Lead Member – Resources to ringfence £43,000 from the Capital Receipts Reserve to create a Sustainability Fund Capital Reserve.

SC 48 Recycle More, Domestic Waste Collection Services

The report WSC 135/16 was introduced by Councillor Dewdney and presented by Dave Mansell from the Somerset Waste Partnership and Chris Hall.

The purpose of the report was to provide an update of the business case to enhance the current services to the community provided by the SWP as well as identifying savings through the implementation of the scheme.

During discussion, the following points were raised:

- It was suggested if caps could be put on recycling bins located in and around high streets to avoid waste being blown through the town centres. Covers could already be purchased from the service.
- There had been provision set aside for staff training on the new scheme, along with additional education planned and within the budget of the rollout.
- Campaigning had been proactive to encourage more residents to recycle more waste material.
- It was requested if a message could be left where materials could not be taken so that users of the service were made aware.
- Members congratulated the service on the future business model.

RESOLVED that:- The Scrutiny Committee support the Somerset Waste Partnership's Business Case for 'Recycle More' and that the Asset Management Group be requested to consider the future use of the Roughmoor Depot.

SC 49 Scrutiny Committee Work Plan

(Copy of the Forward Plan for 2016, circulated with the agenda.)

- It was requested that an IT Monitoring report be considered at a future committee.

RESOLVED that the Scrutiny Forward Plan published on 17 November be noted.

SC 50 Local Memorandum of Understanding, Somerset Rivers Authority – Joint Scrutiny Panel.

The purpose of the report was to nominate two Scrutiny members to sit on the Joint Scrutiny Panel.

RESOLVED that:- Councillors B Maitland-Walker and R Woods be nominated as West Somerset Council's representatives on the Somerset Rivers Authority - Joint Scrutiny Panel.

Councillors Lillis, Hadley, Leaker and Mills left at 5.45pm
Councillor Dowding left at 6.10pm

The meeting closed at 6.55pm.

Weekly version of Cabinet Forward Plan published on 7 December 2016

Forward Plan Ref / Date proposed decision published in Forward Plan	Date when decision due to be taken and by whom	Details of the proposed decision	Does the decision contain any exempt information requiring a resolution for it to be considered in private and what are the reasons for this?	Contact Officer for any representations to be made ahead of the proposed decision
FP/17/1/03 6/01/2016	4 January 2017 By Lead Member Resources & Central Support	Title: Allocation of Section 106 funds held – Quarter 3 Decision: to make proposals for the allocation of monies secured through planning obligations to individual schemes, and to update members with the current funding position	No exempt / confidential information anticipated	Tim Burton, Assistant Director Planning and Environment 01823 358403
FP/17/1/05 6/01/2016	4 January 2017 By Lead Member for Energy Infrastructure	Title: Hinkley Point Decision: to consider key issues relating to Hinkley Point	No exempt / confidential information anticipated	Andrew Goodchild, Assistant Director Energy Infrastructure 01984 635245
FP/17/1/09 04/06/2015	4 January 2017 By Lead Member Resources & Central Support	Title: Review of Financial Regulations [FR2] Decision: to recommend to Council to approve updated Financial Regulations	No exempt / confidential information anticipated	Paul Fitzgerald, Assistant Director Resources 01823 358680
FP/17/1/10 4/10/2016	4 January 2017 By Lead Member for Community and Customer	Title: West Somerset Lottery Decision: to recommend to Council to explore the possibility of setting up a West Somerset Lottery	No exempt / confidential information anticipated	Angela Summers Housing and Community Project Lead 01984 635318
FP/17/1/11 19/10/2016	4 January 2017 By Lead Member Resources & Central Support	Title: Transfer of Public Conveniences Decision: to consider the transfer of public conveniences	No exempt / confidential information anticipated	Tim Child, Asset Manager 07760260465
FP/17/2/01 02/08/2016	8 February 2017 By Lead Member Resources & Central Support	Title: Annual Budget & Council Tax Setting 2017-18 Decision: to provide Members with all the information required for Council to approve the revenue budget and capital programme for 2017/18 for recommendation to Council	No exempt / confidential information anticipated	Paul Fitzgerald, Assistant Director Resources 01823 358680

Forward Plan Ref / Date proposed decision published in Forward Plan	Date when decision due to be taken and by whom	Details of the proposed decision	Does the decision contain any exempt information requiring a resolution for it to be considered in private and what are the reasons for this?	Contact Officer for any representations to be made ahead of the proposed decision
FP/17/2/02 02/08/2016	8 February 2017 By Lead Member for Energy Infrastructure	Title: Hinkley Point Decision: to consider key issues relating to Hinkley Point	No exempt / confidential information anticipated	Andrew Goodchild, Assistant Director Energy Infrastructure 01984 635245
FP/17/2/03 02/08/2016	8 February 2017 By Lead Member Resources & Central Support	Title: Draft Capital Programme 2017-18 Decision: to present the draft Capital Programme 2017/18 for recommendation to Council.	No exempt / confidential information anticipated	Paul Fitzgerald, Assistant Director Resources 01823 358680
FP/17/2/04 02/11/2016	8 February 2017 By Lead Member Resources & Central Support	Title: Hinkley Point C Housing Fund Strategy Decision: to recommend to Council to approve the HPC Housing Fund Strategy	No exempt / confidential information anticipated	Lisa Redston, CIM Fund Manager 01984 635218
FP/17/3/02 02/08/2016	1 March 2017 By Lead Member for Energy Infrastructure	Title: Hinkley Point Decision: to consider key issues relating to Hinkley Point	No exempt / confidential information anticipated	Andrew Goodchild, Assistant Director Energy Infrastructure 01984 635245
FP/17/3/03 02/08/2016	1 March 2017 By Lead Member Resources & Central Support	Title: Allocation of Hinkley Point C Community Impact Mitigation Funding Decision: to present the recommendations of the HPC Planning Obligations Board for the allocation of monies from the CIM Fund	No exempt / confidential information anticipated	Lisa Redston, CIM Fund Manager 01984 635218
FP/17/3/04 02/08/2016	1 March 2017 By Lead Member Resources & Central Support	Title: Allocation of Section 106 funds held – Quarter 4 Decision: to make proposals for the allocation of monies secured through planning obligations to individual schemes, and to update members with the current funding position	No exempt / confidential information anticipated	Tim Burton, Assistant Director Planning and Environment 01823 358403
FP/17/3/05 19/10/2016	1 March 2017 By Leader of Council	Title: Corporate Performance Report Quarter 3 Decision: to provide Members with an update on	No exempt / confidential information anticipated	Paul Harding, Corporate Strategy and Performance Manager

Forward Plan Ref / Date proposed decision published in Forward Plan	Date when decision due to be taken and by whom	Details of the proposed decision	Does the decision contain any exempt information requiring a resolution for it to be considered in private and what are the reasons for this?	Contact Officer for any representations to be made ahead of the proposed decision
		progress in delivering corporate priorities and performance of council services		01823 356309
FP/17/3/06 19/10/2016	1 March 2017 By Lead Member Resources & Central Support	Title: Financial Monitoring Report Quarter 3 Decision: to provide Members with details of the Council's expected financial outturn position in 2016/17 for both revenue and capital budgets, together with information relating to predicted end of year reserve balances	No exempt / confidential information anticipated	Paul Fitzgerald, Assistant Director Resources 01823 358680
FP/17/5/01 02/08/2016	17 May 2017	Title: Cabinet Appointments on Outside Bodies Decision: to appoint representatives to serve on outside bodies for the period to the Annual Meeting in 2018 (except where specific periods are stated)	No exempt / confidential information anticipated	Bruce Lang, Assistant Chief Executive 01984 635200
FP/17/5/02 02/08/2016	17 May 2016 By Lead Member for Energy Infrastructure	Title: Hinkley Point Decision: to consider key issues relating to Hinkley Point	No exempt / confidential information anticipated	Andrew Goodchild, Assistant Director Energy Infrastructure 01984 635245
FP/17/7/01 02/08/2016	July 2017 By Leader of Council	Title: Corporate Performance Report Quarter 4 Decision: to provide Members with an update on progress in delivering corporate priorities and performance of council services	No exempt / confidential information anticipated	Paul Harding, Corporate Strategy and Performance Manager 01823 356309
FP/17/7/02 02/08/2016	July 2017 By Lead Member Resources & Central Support	Title: Financial Monitoring Report Quarter 4 Decision: to provide Members with details of the Council's expected financial outturn position in 2016/17 for both revenue and capital budgets, together with information relating to predicted end of year reserve balances	No exempt / confidential information anticipated	Paul Fitzgerald, Assistant Director Resources 01823 358680

Forward Plan Ref / Date proposed decision published in Forward Plan	Date when decision due to be taken and by whom	Details of the proposed decision	Does the decision contain any exempt information requiring a resolution for it to be considered in private and what are the reasons for this?	Contact Officer for any representations to be made ahead of the proposed decision
FP/17/7/03 02/08/2016	July 2017 By Lead Member for Energy Infrastructure	Title: Hinkley Point Decision: to consider key issues relating to Hinkley Point	No exempt / confidential information anticipated	Andrew Goodchild, Assistant Director Energy Infrastructure 01984 635245
FP/17/7/04 19/10/2016	July 2017 By Lead Member Resources & Central Support	Title: Allocation of Hinkley Point C Community Impact Mitigation Funding Decision: to present the recommendations of the HPC Planning Obligations Board for the allocation of monies from the CIM Fund	No exempt / confidential information anticipated	Lisa Redston, CIM Fund Manager 01984 635218
FP/17/7/05 19/82016	July 2017 By Lead Member Resources & Central Support	Title: Allocation of Section 106 funds held – Quarter 1 Decision: to make proposals for the allocation of monies secured through planning obligations to individual schemes, and to update members with the current funding position	No exempt / confidential information anticipated	Tim Burton, Assistant Director Planning and Environment 01823 358403
FP/17/9/01 19/102016	September 2017 By Lead Member Resources & Central Support	Title: Medium Term Financial Plan Update Decision: to present the updated Medium Term Financial Plan	No exempt / confidential information anticipated	Paul Fitzgerald, Assistant Director Resources 01823 358680
FP/17/9/02 19/10/2016	September 2017 By Lead Member for Energy Infrastructure	Title: Hinkley Point Decision: to consider key issues relating to Hinkley Point	No exempt / confidential information anticipated	Andrew Goodchild, Assistant Director Energy Infrastructure 01984 635245
FP/17/9/03 19/10/2016	September 2017 By Leader of Council	Title: Corporate Performance Report 2016-17 Quarter 1 Decision: to provide Members with an update on progress in delivering corporate priorities and performance of council services	No exempt / confidential information anticipated	Paul Harding, Corporate Strategy and Performance Manager 01823 356309

Forward Plan Ref / Date proposed decision published in Forward Plan	Date when decision due to be taken and by whom	Details of the proposed decision	Does the decision contain any exempt information requiring a resolution for it to be considered in private and what are the reasons for this?	Contact Officer for any representations to be made ahead of the proposed decision
FP/17/9/04 19/10/2015	September 2017 By Lead Member Resources & Central Support	Title: Budget Monitoring Report Quarter 1 Decision: to provide Members with details of the Council's expected financial outturn position in 2016/17 for both revenue and capital budgets, together with information relating to predicted end of year reserve balances	No exempt / confidential information anticipated	Paul Fitzgerald, Assistant Director Resources 01823 358680

Note (1) – Items in bold type are regular cyclical items.

Note (2) – All Consultation Implications are referred to in individual reports.

The Cabinet comprises the following: Councillors A H Trollope-Bellew, M Chilcott, M Dewdney, K M Mills, C Morgan S J Pugsley, K H Turner and D J Westcott.

The Scrutiny Committee comprises: Councillors P H Murphy, N Thwaites, R Clifford, G S Dowding, B Leaker, B Maitland-Walker, J Parbrook, R Woods and I Aldridge.

West Somerset Council

Scrutiny – Thursday 15th December 2016

Joint Lottery Report

This matter is the responsibility of Lead Member Cllr David Westcott

Report Author: Angela Summers

1 Executive Summary

To seek agreement to launch an online automated Joint Lottery, which will help fund discretionary support to voluntary and community sector (VCS) organisations active across the whole of West Somerset District and Taunton Deane Borough. This proposal would provide access for the VCS organisations to their own lottery within the Joint Lottery umbrella scheme empowering these organisations to raise funds directly for themselves.

- 1.1 The Council will be an enabler for the lottery and use the services of the External Lottery Manager (ELM), Gatherwell to run the lottery.

2 Recommendations

- 2.1 Scrutiny is asked to consider the proposal to run a Joint Lottery, as detailed in the attached Appendix A and recommend:

- 2.1.1 To instigate an online joint lottery operated by the ELM, Gatherwell with a lottery ticket price of £1.

- 2.1.2 The final arrangements of launching the lottery be delegated to the Assistant Director, Housing & Community Development and Lead Member for Community & Customers in consultation with the Section 151 Officer. This would include: appointing Gatherwell as the ELM, following the completion of due diligence; finalising the process for involving and marketing to the Voluntary and Community Sector (VCS) and the eligibility criteria for them to take part as good causes, plus allocating a small amount of officer time to apply for the Gambling Commission licence, check and register VCS organisation to join the list of good causes and administering decisions by Councillors for the Central Fund allocations to local good causes.

3 Risk Assessment

Risk Matrix

Description	Likelihood	Impact	Overall
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Encouraging gambling.	3	3	9
<i>Lotteries are the most common type of gambling activity across the world, and considered to be a 'low risk' form with respect to the emergence of problem gambling. This is due to its relatively controlled form.</i>	2	2	4
Lack of in-house skills to run the lottery	3	3	9
<i>The Council would 'buy-in' the skills and expertise from the ELM</i>	1	1	1
Demonstrating legitimacy of the lottery	3	3	9
<i>Licence holders and operators must comply with legislation and are regulated by the Gambling Commission. To minimise risks such as underage gambling, weak financial management and potential fraud, the proposed Joint Lottery would operate within the law and follow the Gambling Commission's operational guidelines.</i>	1	1	1
Pay out for multiple winners of the top prize of £25,000	3	3	9
<i>The ELM insures the jackpot prize. It is a guaranteed pay out of £25,000 per winner (even if multiple people win the jackpot it is not shared or rolled over). This arrangement protects the lottery from financial difficulty. All other prizes are covered by the ELM.</i>	1	1	1

Risk Scoring Matrix

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Likelihood of risk occurring	Indicator	Description (chance of occurrence)
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2. Slight	Is unlikely to, but could occur at some time	10 – 25%

3. Feasible	Fairly likely to occur at same time	25 – 50%
4. Likely	Likely to occur within the next 1-2 years, or occurs occasionally	50 – 75%
5. Very Likely	Regular occurrence (daily / weekly / monthly)	> 75%

4 Background and Full details of the Report

- 4.1 The purpose of the lottery is to help fund discretionary support for local voluntary and community (VCS) organisations and enable such organisations to raise funds directly for themselves. The Council would not take any of the proceeds for itself. All funds raised would be spent within the West Somerset and Taunton Deane area and benefit local people and communities.
- 4.2 By agreeing the proposal, the Council would adopt a proactive approach and be one of the foremost councils in the country to run a lottery – to date, five¹ other councils have launched a lottery. The proposal is to use a model similar to that launched by Aylesbury Vale District Council (AVDC) in November 2015 and further information on this model is set out in Appendix A.
- 4.3 The proposed model is for the Council to seek a licence from the Gambling Commission and to ‘buy-in’ the skills and expertise of the External Lottery Manager (ELM), Gatherwell, to run and market a Joint Lottery in conjunction with Taunton Deane Borough Council.

5 Links to Corporate Aims / Priorities

- 5.1 A Joint Lottery has the potential to help all the VCS organisations operating within the district of West Somerset and borough of Taunton Deane by helping address funding pressures they may be facing. This could benefit all people and communities in the area.

6 Finance / Resource Implications

- 6.1 Historically, the Council has provided substantial financial support for the VCS across the area, helping to deliver a number of corporate aims. Grants were issued, but the Council has had to reduce these in number and size as a result of pressure on budgets.
- 6.2 The Council still needs to generate significant income or make savings to offset the cuts that are due through to 2020. The Council is proactively exploring new income streams to help address the financial challenges it faces in the coming years following the government’s decision to reduce the level of grants to local authorities. This places further budget pressures across all aspects of the council’s work. In the medium-term, there will inevitably be an impact on the funding available for VCS organisations and with this in mind, the council has been investigating ways to continue to support VCS organisations.
- 6.3 The concept of the Council running a lottery has been in consideration for a while with attention focussed on how it might be delivered and how it could work with existing

¹ Aylesbury Vale District Council, Portsmouth City Council, Mendip District Council, Melton Borough Council and Gloucester City Council

funding arrangements. Appendix A addresses these issues and provides a proven model for implementing a Joint Lottery that would enable the Council to continue to support locally active VCS organisations into the future.

- 6.4 In developing their lottery, Aylesbury Vale District Council's (AVDC) contract with Gatherwell Ltd included a 1% return from the ELM's management element of the ticket sales from other lotteries which are set-up in the same way across the country. Thus in adopting the AVDC's adopted model, AVDC would benefit, however this 1% is a return on their time for jointly promoting the lottery product and credits the efforts in making it work for a local authority.
- 6.5 This proposal would help fund discretionary support to the VCS and enable such organisations to raise funds directly for themselves.
- 6.6 All funds raised through the lottery would be spent within the area and benefit local people and communities.
- 6.7 The Council would not take any of the proceeds for itself. The costs of running the lottery would be met from the sales and be taken directly by the ELM
- 6.8 Apart from the licensing and marketing costs of the lottery, it would be self-funding. The estimated costs to **each** of the two councils would be:
 - £1,000 annually for licensing and administration costs
 - £500 annually for marketing
 - £1,500 towards the £3,000 ELM one-off set up fee
- 6.9 Inevitably, some officer time would be required to establish the lottery and ensure its administration. This can be managed within existing resources.
- 6.10 The jackpot is an insured prize. It is a guaranteed pay out of £25,000 per winner (even if multiple people win the jackpot it is not shared or rolled over). This arrangement protects the lottery from financial difficulty.
- 6.11 The Council will conduct due financial diligence on the chosen ELM.

7 Legal Implications

- 7.1 All local authority lotteries must be licensed by the Gambling Commission. All External Lottery Manager (ELMs) must hold a lottery managers operating licence. Both are regulated by the Gambling Act 2005.
- 7.2 Both Councils would each have to apply to the Gambling Commission for a [separate] licence to run the proposed lottery and be the overall license holder for their area. There would need to be a contractual arrangement with the ELM to run and operate the lottery, although the Council would retain obligations to the Gambling Commission for their area.
- 7.3 The set-up of such a lottery is a services concession under the procurement rules. However, the Concession Contract Regulations 2016 specifically excludes lottery services from being bound by those rules.

8 Environmental Impact Implications

8.1 None in respect of this report.

9 Safeguarding and/or Community Safety Implications

9.1 Safeguards to deter underage gambling include:

9.1.1 All literature and the lottery website makes reference to the fact that no one under 16 can play.

9.1.2 Players need to register to play and have to confirm their age in two ways:

9.1.2.1 Firstly, via the inclusion of their date of birth, and

9.1.2.2 Secondly, by the confirmation to their acceptance to the statement: *"I am at least 16 years old and have read and accepted Gatherwell's Policies relating to age verification, and I have read and accepted the Terms & Conditions, Privacy Policy and Game Rules."*

9.1.3 In the event of a large win Gatherwell also do secondary age verification checks before issuing prizes.

9.1.4 Both Councils will have a policy in place as part of our submission to the Gambling Commission which will reinforce the above points undertaken by Gatherwell.

10 Equality and Diversity Implications

10.1 The aim is to enable as many VCS organisations as possible to join the lottery (provided they meet the selection criteria) and this has the potential to provide a wide range of benefits, both small and large in nature, to people and communities across the district of West Somerset and the borough of Taunton Deane.

10.2 Anyone 16+ can take part in the lottery by becoming a player.

11 Social Value Implications

11.1 Value for money would be significant for a small investment from the two Councils. Set-up costs are minimal and the lottery is largely self-financing. There is the potential for VCS organisations to generate a regular monthly income through on-line ticket sales, helping to sustain their organisation.

12 Partnership Implications

12.1 The Joint Lottery would be run for the benefit of VCS organisations across both areas, including partner organisations we already commission to deliver services.

13 Health and Wellbeing Implications

13.1 The Joint Lottery provides the opportunity to create a new income stream for VCS organisations, enabling them to continue or develop new services which assist our residents with their health and wellbeing needs. For example, Home-Start Aylesbury is already earning an annual income of over £500, through tickets sales. They have found

this income very useful for such a small organisation as it does not require hours of application form filling for funding and undergoing laborious bidding processes.

14 Asset Management Implications

14.1 None.

15 Consultation Implications

15.1 A consultation with our residents and VCS organisations was carried out in June 2016. We received a total of 25 responses, of which:

15.1.1 75% would buy a lottery ticket and 17% might, if they were provided with more information

15.1.2 63% of VCS organisations would consider applying to register as one of the good causes with a further 21% considering registering, if they were provided with more information.

15.1.3 38% were in favour of a joint lottery, provided income from the lottery ticket sales for the 10% central community fund was allocated fairly between the two areas.

16 Scrutiny Comments / Recommendation(s)

16.1 To recommend the proposal to run a Joint Lottery, as attached in Appendix A:

16.1.1 To instigate an online lottery operated by Gatherwell, an ELM as outlined in Appendix A;

16.1.2 With the final arrangements of launching the lottery be delegated to the Assistant Director, Housing & Community Development and Lead Member for Community & Customers in consultation with the Section 151 Officer. This would include: appointing Gatherwell as the ELM, following the completion of due diligence; finalising the process for involving and marketing to the Voluntary and Community Sector (VCS) and the eligibility criteria for them to take part as good causes, plus allocating a small amount of officer time to apply for the Gambling Commission licence, check and register VCS organisation to join the list of good causes and administering decisions by Councillors for the Central Fund allocations to local good causes.

Democratic Path:

- **Scrutiny Committee – Yes**
- **Cabinet – No – Decision delegated to Lead Member for Community & Customer and Deputy Chief Executive**
- **Full Council – No**

Reporting Frequency: Annually

List of Appendix

Appendix A	Business Case
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Contact Officers

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Glossary of terms

AVDC - Aylesbury Value District Council

ELM – External Lottery Manager

VCS – Voluntary & Community Sector

Appendix A

Lottery

Business Case

Lead Cllr David Westcott

1 Purpose of the Lottery

- 1.1 To help fund discretionary support for local voluntary and community (VCS) organisations and enable such organisations to raise funds directly for themselves through on-line ticket sales. The Council would not retain any of the proceeds for itself.
- 1.2 All funds raised by the lottery would be spent within the area and provide benefits to local people and communities.

2 Executive summary

- 2.1 In the medium-term, as budget pressure continues to grow on all aspects of the Council's work, there will inevitably be an impact on the funding available for the VCS sector. The concept of the Council running a lottery has been in consideration for a while and the focus has been on how it would be delivered and how it could work with existing funding for VCS organisations. Historically, the Council has provided substantial financial support for the VCS within the district, helping to deliver a number of corporate aims. We currently distribute £37,200 pa through funding and support arrangements.
- 2.2 The Lottery has the potential to help all VCS organisations active in the district of West Somerset and borough of Taunton Deane by helping address any funding pressures they are facing. The lottery proposal would also help move the Council from 'provider' to 'enabler'.
- 2.3 By agreeing the proposal, this Council would adopt a proactive approach and be one of the primary councils in the country to run a lottery. The proposal is to use a model similar to that launched by Aylesbury Vale District Council (AVDC). Namely to seek a licence from the Gambling Commission and to 'buy-in' the skills and expertise of an External Lottery Manager (ELM) to run and market the lottery.

3 Supporting information

- 3.1 The Council is exploring new income streams, streamlining processes, reducing costs and working innovatively in partnership and is our approach to addressing the financial challenges we face over the coming years following the government's decision to reduce the level of grants to local authorities.
- 3.2 The Medium Term Financial Plan considers how we can continue to provide valued services to the general public. The changing business model of the Council is moving away from being the provider of all services to one where

there is a mix of delivery models, developing greater partnership working and moving customers towards more 'self-help' digital options.

- 3.3 The Council does not want to reduce its support for the voluntary and community sector and has been investigating ways to address this. A Lottery would create a new income stream for VCS organisations helping them address funding pressures and provide benefits to local people and communities.

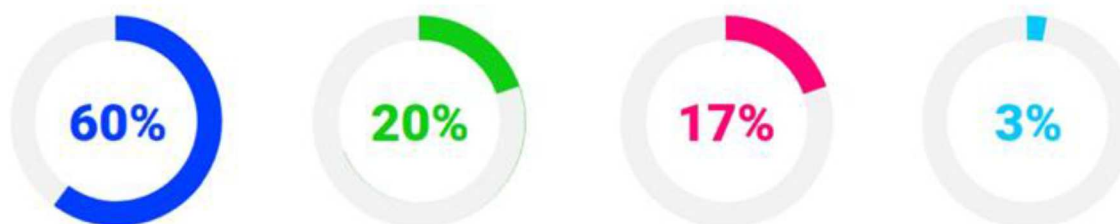
4 Background to Lotteries

- 4.1 Lotteries have long been a way of enabling smaller organisations to raise income. All local authority lotteries must be licensed by the Gambling Commission and are regulated by the Gambling Act 2005.

- 4.2 There are different types of lotteries available. In this instance, we are only discussing 'society lotteries' which are promoted for the benefit of the non-commercial society. A society is deemed to be non-commercial if it is established and conducted for the following purposes and activities:

- Charitable purposes;
- To enable participation in or support of sports, athletics or cultural activities;
- Any other non-commercial purpose, other than that of private gain.

- 4.3 In all cases, local authority lotteries must deliver a minimum of 20% of gross proceeds to community and voluntary causes – this business case recommends a minimum of 60% of proceeds going to such good causes. It is proposed that the Lottery would split each £1 from the purchase of tickets as below:



60% to VCS organisations via Central Fund or Umbrella Fund

20% goes back to ticket buyers as prizes

All ELM running costs, including banking and marketing

ELM costs are VATable

5 The Lottery Market Place

- 5.1 There are three well-known national lotteries running in England and Wales – these are the National Lottery, Health Lottery and the Postcode Lottery. The table below provides background statistics regarding these providers for comparison.

Provider	Odds of jackpot win	Odds of any prize win	% share to VCS organisations	% to operator/ owner
Euromillions	1:116 million	1:13	28%	22%
National Lottery	1:14 million	1:54	28%	22%
Health Lottery	1:2 million	1:209	20%	22%
Postcode Lottery	No data available		27.5%	32.5%
Joint Lottery	1:1 million	1:50	60%	17%

5.2 There are no West Somerset District and Taunton Deane Borough wide lotteries currently being delivered and only three other councils known to be a licensed lottery operator in the country. However, there are a number of community groups and charities who either run lotteries or lottery-like fundraising within the area. Known examples are the Dorset & Somerset Air Ambulance and St Margaret's Hospice:

<http://www.somerset-hospice.org.uk/data/lottery-leaflet.pdf>
<http://www.dsairambulance.org.uk/>

6 Initial Proposition

6.1 A local authority lottery requires a set of aims or a unique selling point that resonates with lottery players. It is believed there is a place for a lottery that focuses on the following aims:

- *Delivering the proceeds locally* – a Council lottery would deliver benefits only to VCS causes that benefits the people and communities in the area. Unlike any other lottery provider, players can be assured that the proceeds will stay within the district.
- *Maximising benefits to the community* – to bolster support and help continue the good work the Council already does, there is a need for significant support and benefits to be provided by the VCS sector. This proposal would result in 60% of proceeds being given to VCS organisations, with the additional benefit that none of the proceeds being generated is taken by the Councils.
- *Minimising costs* – set-up costs must be kept to a minimum. This means the lottery will need to be largely self-financing by using on-line communications for promotion of the lottery, where possible.
- *Delivering winners locally* – whilst anyone could play (players do not have to live in the borough or district), it is likely that players will be locally based (or have a local connection) hence it will be easier to maximise the value from winners' stories and encourage more participation.
- *Facilitating a wider benefit* – whilst the lottery will help current funding to VCS organisations, it will also enable such organisations to fundraise in partnership with us. It will also open up a way for voluntary and

community organisations to create new links with repeat donors and reach out a much wider audience.

- *Helping to shift residents' perceptions* - of what the Council can do and is here for. This is in line with the Council working differently in the future to continue to deliver services as well as moving customers to more 'self-help' options.

7 Proposed Form of the Lottery

- 7.1 The proposal is to use a model similar to that launched by Aylesbury Vale District Council (AVDC). This is an online lottery, due to the high costs of distribution and sales if it was run in any other way. The benefit of this approach is that this model has a proven track record of delivering a successful product which is achieving the aims of their lottery, therefore, helping deal with the pressure on their community funding budgets and enabling VCS organisations gain access to new funding streams.
- 7.2 This approach also fits with the Council's digital agenda and the lottery will be accessible 24/7 via all desktop, mobile and tablet devices.
- 7.3 Two delivery options have been considered:
- 7.31 Option 1: In-house** - The council would set-up the necessary staffing and systems to run the lottery. Desktop research demonstrates such an approach would cost circa £80,000 - £100,000 as it would be necessary to employ a lottery manager and develop the software systems needed to enable the lottery to run. There would also be on-going software system supplier costs. This option would be prohibitively expensive.
- 7.32 Option 2: Using an External Lottery Manager (ELM)** – The Council would buy-in the services of an ELM to run all or part of the lottery and share the risk of running it with them. All ELMs must be licensed by the Gambling Commission and have the skills and expertise to deliver all aspects of running the lottery from ticket payments, prize management and licensing, through to marketing support and liaison with VCS organisations. This is the preferred option. Notwithstanding the appointment of an ELM, the Council would retain obligations to the Gambling Commission to ensure that the lottery is conducted in a lawful and fully compliant way.
- 7.4 The proposed lottery would create a new funding stream for the VCS active in the district and borough, providing them with a platform to fundraise independently. Players can choose to buy a ticket to support either:
- 7.41 The Central Fund** – this operates borough and district-wide, in circumstances where players do not specify an organisation/good cause to benefit from their ticket purchase, the full 60% of their ticket purchase would then go to the Central Fund. Monies raised from this fund would be distributed to VCS organisations through a new small grant scheme. In addition 10% of every

ticket bought under the Umbrella Scheme described below will be put into the Central Fund.

7.42 The Umbrella Scheme – this allows players to support a specific organisation/good cause and, in turn, motivates participating organisations to encourage more players to support them and therefore generate more income for themselves. Organisations/good causes keep 50% of all ticket sales generated through their page and another 10% goes to the Central Fund. VCS organisations would need to meet the criteria (see Annexe A) set by the licence holder (the Council) before they can ‘sign-up’ as a good cause. Support would be provided through various measures including their own branded web page on the lottery website and regularly updated bespoke marketing materials to help them engage with players, supplied by the ELM.

This might help bigger organisations who were thinking of setting up their own lottery choose the Council lottery who would bear the cost of the set up.

The Council would control which organisations can join the Umbrella Scheme and VCS organisations would need to meet certain criteria in order to join. Annex A sets out the criteria proposed to apply.

7.43 Central Fund allocations within the District and Borough

The Central Fund would be allocated proportionately to either TDBC or WSC according to the amount of funds raised from individual postcode areas in each district. The proportional split would be possible as purchasers are required to register their postcode when purchasing tickets.

There are two parishes which have the same postcode across the two Councils. These are Wiveliscombe and West Deane (TD) and Upton (WS), both having the postcode of TA4 2QN. It is proposed to split the Central Fund, resulting from lottery ticket purchases in this postal area based on the population of each area as follows:

Wiveliscombe and West Deane – population – 3,180
Upton – population – 129

Therefore, TDBC would be eligible to receive 96% of the Central Fund from tickets bought in this postal code and 4% would be allocated to WSC.

7.44 Fund Allocations from outside the Borough and District

It is proposed that the Central Fund received from any lottery ticket purchasers living outside the borough and district should be allocated with 50% going to the borough and 50% going to the district as both Councils are contributing equally to the cost of the Joint Lottery.

7.5 All sales for the lottery would operate through a dedicated website (specific organisations would have their own landing pages on this website) and be

funded via ticket sales made by online payment (payment card) or direct debit. This approach is needed to keep operating costs at a minimum.

Delivery Options

- 7.6 The Council would have to apply to the Gambling Commission for a licence to run a lottery and be the overall license holder. The Gambling Commission would also require Taunton Deane Borough Council to hold a licence for the Lottery too.
- 7.7 The proposal is to use the services of an External Lottery Manager (ELM) to run the lottery. This is the most common form of lottery provision for Councils. In terms of procurement rules, the provision of lottery services is a public service concession. However, under the current Concessions Contracts Regulations 2016, specifically under Regulation 10(13), lottery services are expressly excluded from being governed by the procurement rules. A contract, however, would be required between the Council and the ELM.
- 7.8 The Council has reviewed use of an External Lottery Manager (ELM) and considered the approach taken by AVDC. We have had informal discussions with both AVDC and Gatherwell, their ELM and consider that appointing Gatherwell would be the most cost-effective solution and would provide the necessary skills and expertise required to establish and run the lottery.

There is no requirement to carry out a competition to appoint an ELM because of the exclusion of lottery services from the procurement rules. However, the Council must satisfy itself that any ELM considered holds a valid operating licence, personal management licences (if appropriate) and will conduct the Council's lottery in a lawful and compliant way. The Council will be required to complete due diligence on any ELM being considered.

- 7.9 The proposal is that the ELM would carry out all day-to-day management, including processing new players, distributing prizes, income for VCS organisations (once the Council has approved the monthly payments to VCS organisations) and assisting players should they experience difficulties. The ELM will also provide significant tailored marketing support to the VCS organisations and the Council. The ELM will send newsletters to all VCS organisations signed up to the lottery providing updates on their lottery.

The resource implications for the Council are detailed in Section 11.

7.10 Ticket Price, Proceeds Apportionment and Prize Structure

Two ticket prices have been considered:

Ticket Price £1 – the minimum play would be £1 ticket per week per player, this would equate to a minimum monthly expenditure of £4.33 per player (this being 52 weeks x £1 divided by 12 months). The minimum tickets purchased would be for one month. Ticket price of £1 is the preferred option.

Ticket Price £2 – the minimum play would be £2 per week per ticket, this would equate to a minimum monthly expenditure of £8.67 per player (this being 52 weeks x £2 divided by 12 months).

In either case, players could purchase multiple tickets/support multiple organisations.

7.11 Research shows that ticket price has a significant bearing on the success of a lottery. A high ticket price reduces the administration costs, which in turn leaves more money available for the VCS. However, based on independent research by AVDC, there would be a significant drop-off in the take-up rates (up to a potential 69% less participation, equating to around 50% less revenue) if a ticket was priced at £2 instead of £1; it is noted that participants wanting to buy multiple tickets would have that option anyway under the £1 model, should they wish to spend more. In addition, the £2 cost would also create direct competition with the National Lottery.

7.12 The public’s perception of appropriate lottery ticket pricing is considered to be the most significant factor when selecting a preferred model for the lottery.

7.13 Based on the above, a Lottery would operate as below:-

- Ticket price - £1 per week
- Draw frequency – once per week

Proceeds Apportionment				
	Umbrella Scheme (Specific organisation/cause)		Central Fund¹ (Unspecified organisation/cause)	
	<i>% allocation</i>	<i>£ allocation per ticket</i>	<i>% allocation</i>	<i>£ allocation per ticket</i>
Selected VCS organisations	50	£0.50	-	-
Prizes	20	£0.20	20	£0.20
VCS organisation Grant Fund	10	£0.10	60	£0.60
External Lottery Provider	17	£0.17	17	£0.17
VAT	3	£0.03	3	£0.03
Totals	100	£1.00	100	£1.00 ²

Number Selection and prize structure:

7.14 The proposal would use the Australian Super 66 Lotto results to provide the winning numbers for the proposed Lottery. The Super 66 is played in all parts of Australia, except New South Wales, and draws take place on Saturdays.

¹ Central Fund supports VCS organisations through a new grant fund and funding agreements.

² The Council takes no proceeds for itself. All proceeds go to VCS organisations after running costs are deducted.

Players of the Lottery would choose 6 numbers and each number will be between 0 and 9. Every Saturday there is a draw when a 6 digit winning combination will be picked. To win the jackpot, the ticket must match both the numbers and the sequence as drawn. Players can win smaller prizes if the ticket matches the sequence of the first or last 2, 3, 4 or 5 numbers drawn. Multiple tickets can be purchased and numbers can be changed by players.

- 7.15 A future option, possible with this model, is to partner with local events and festivals, which could provide significant additional benefits to VCS organisations and to the people and communities in the area. These would be considered on a case-by-case basis taking all benefits and liabilities into consideration.
- 7.16 Players can donate their winnings to their chosen VCS organisation, if they wish.
- 7.17 The jackpot is an insured prize. It is a guaranteed pay out of £25,000 per winner and there could be multiple winners. There is no rollover if there is no winner.
- 7.18 The ELM distributes prizes to winners as soon as the player claims their win - either immediately into the winner's bank account, or to the chosen VCS organisation if the winner has chosen to donate their win back to them.

Participating VCS organisations are paid monthly by the ELM and the Council is required to authorise these payments before they are made. The process for this will be developed and it will be covered under the contractual arrangements by which the ELM is appointed.

Number Selection and Prize Structure		
	<i>Winning odds</i>	<i>£ prize</i>
6 numbers	1:1,000,000	£25,000
5 numbers	1:55,556	£2,000
4 numbers	1:5,556	£250
3 numbers	1: 556	£25
2 numbers	1:56	3 free tickets
Overall odds of winning any prize	1:50	-

Player modelling:

- 7.19 Set out below is a player modelling analysis. It shows that a very conservative level of players can generate a considerable income for VCS organisations.

Joint Population

£1 Ticket / 1 Ticket per week								
Ticket price (£)	Number of	% Potential Player	Tickets per player	Number of weeks	Gross Return	Central Fund (10%)	Good Causes (50%)	Target Year

	players (16+) ³	Population (16+)	per week					
1	615	0.5	1	52	£31,957	£3,196	£15,978	1
1	1229	1	1	52	£63,914	£6,391	£31,957	2
1	1844	1.5	1	52	£95,871	£9,587	£47,935	3
1	2458	2	1	52	£127,827	£12,783	£63,914	4
1	3073	2.5	1	52	£159,784	£15,978	£79,892	5

West Somerset Population

£1 Ticket / 1 Ticket per week								
Ticket price (£)	Number of players (16+) ⁴	% Potential Player Population (16+)	Tickets per player per week	Number of weeks	Gross Return	Central Fund (10%)	Good Causes (50%)	Target Year
1	154	0.5	1	52	£7,994	£799	£3,997	1
1	307	1	1	52	£15,989	£1,599	£7,994	2
1	461	1.5	1	52	£23,983	£2,398	£11,992	3
1	615	2	1	52	£31,978	£3,198	£15,989	4
1	769	2.5	1	52	£39,972	£3,997	£19,986	5

Taunton Deane Borough Population

£1 Ticket / 1 Ticket per week								
Ticket price (£)	Number of players (16+) ⁵	% Potential Player Population (16+)	Tickets per player per week	Number of weeks	Gross Return	Central Fund (10%)	Good Causes (50%)	Target Year
1	461	0.5	1	52	£23,962	£2,396	£11,981	1
1	922	1	1	52	£47,925	£4,792	£23,962	2
1	1382	1.5	1	52	£71,887	£7,189	£35,944	3
1	1843	2	1	52	£95,850	£9,585	£47,925	4
1	2304	2.5	1	52	£119,812	£11,981	£59,906	5

8 Gambling Responsibly and Risks

8.1 Lotteries are the most common type of gambling activity across the world, and considered to be a 'low risk' form with respect to the emergence of problem gambling. This is due to its relatively controlled form.

The Joint Lottery would help mitigate against many of the issues related to addictive gambling by:

- Being only playable via pre-arranged sign-up and non-cash methods
- Offering no 'instant gratification' or 'instant reward' to those taking part

³ 16+ population in Taunton Deane Borough and West Somerset District = 122,911 (SINE, 2013)

⁴ 16+ population in West Somerset District = 30,748 (SINE, 2013)

⁵ 16+ population in Taunton Deane Borough = 92,163 (SINE, 2013)

- Ensuring the lottery is compliant with the Gambling Commission's licensing code of practise, including self-exclusion and support organisation links.
- 8.2 Due to these factors, it is reasonable to believe that a Joint Lottery would not significantly increase problem gambling, and that the benefits to community and voluntary organisations in the area from the proceeds of the lottery would outweigh the possible negative issues.
- 8.3 Licence holders and operators must comply with legislation and are regulated by the Gambling Commission. Both are responsible for running lotteries in such a way that potential risks such as underage gambling, weak financial management and potential fraud are minimised. The proposed Joint Lottery will operate within the law and follow the Gambling Commission's operational guidelines.

9 Delivery Timeline

9.1 Following the decision to go ahead with the proposal, based on AVDC's experience for establishing their lottery, it would take approximately six months to set-up and launch a Joint Lottery.

9.2 The key milestones in delivering this are set out below:

- End December 2016 – Report to Scrutiny
- January 2017 – Sign off by Lead Member
- End January 2017 – Invite VCS to consider becoming 'good causes'
- End February 2017 – Appoint Gatherwell as the ELM. Hold launch event targeted at VCS organisations encouraging them to 'sign-up'; along with members and the media
- End March 2017 – License Approved (subject to Gambling Commission)
- End April 2017 – First Draw

10 Options considered

10.1 Two delivery options have been considered within this business case and these have been taken into account in making the recommendations.

10.2 In addition, the success of the AVDC lottery has been reviewed and is considered to be robust. Within the first six months, their lottery has exceeded all expectations with 115 organisations having joined (their target was just 10-20) and the top prize being raised from £20,000 to £25,000 as a result of increasing ticket sales.

11 Resource implications

11.1 The estimated costs to each Council is:

- £1,000 annually for licensing and administration costs

- £500 annually for marketing to promote the lottery to the voluntary and community organisations
- £1,500 towards the £3,000 ELM one-off set up fee

Inevitably, some officer time would be required to establish the lottery and ensure its administration. This can be managed within existing resources.

11.2 This proposal would help fund discretionary support to the VCS and enable such organisations raise funds directly for themselves. Until the level of funds being raised is known, it is difficult to anticipate how much money may be generated. An annual review would be undertaken to ensure that the lottery is running in line with the aims set out in this report and to agree any changes.

11.3 Both councils would contribute £1,500 to the total one-off set-up cost of £3,000. There will then be a further annual cost of £1,000 for the annual licence and administration, plus £500 for ongoing marketing costs for each Council. There would also be a small amount of in-house officer time and this should be met from existing resources.

Contact Officer: Angela Summers
Extension: 5318

ANNEX A: Joint Lottery Umbrella Scheme

[Draft] Criteria for Accepting VCS groups

As part of the proposed Joint Lottery, voluntary and community (VCS) organisations can sign up as a good cause under an umbrella lottery scheme. Below are the criteria that will be used in deciding whether or not to allow an organisation qualifies to join.

Application Fee

There is no application fee to join.

Criteria for joining:

We want to enable as many VCS organisations as possible to join. The Council has been granted a licence to run the lottery by the Gambling Commission and part of its licence obligations are to ensure that organisations meet certain criteria.

Your good cause must:

- Provide local community activities or services *within* the West Somerset District and/or Taunton Deane Borough, which benefit local people and communities, visitors may also benefit from the services/facilities, but not to the exclusion of local residents
- Have a formal constitution or set of rules
- Have a bank account requiring at least 2 unrelated signatories
- Operate with no undue restrictions on membership
- Have an email address but not necessarily a web site.

and be:

1. A constituted group with a volunteer **management committee** with a minimum of three unrelated members that meets on a regular basis (at least 3-4 times per year); or, **a registered charity with a board of trustees**. Or
2. A registered **Community Interest Company** (including social enterprises) able to provide copies of your Community Interest Statement, details of the Asset Lock, your Memorandum and Articles of Association, together with a copy of your latest annual community interest report.

We will not permit applications that:

- Are incomplete
- Are from groups that promote a particular religious or political belief, though good causes operating from religious premises which offer services to all the community in the area would be considered
- Are from organisations that do not do work within the boundaries of West Somerset District and/or Taunton Deane Borough
- Are from individuals

- Are from organisations which aim to distribute a profit
- Are from organisations with no established management committee/board of trustees (unless they are a CIC)

Please note the following:

- The Council reserves the right to reject any application.
- The Council will reserve its rights to not accept or cease to license any organisation with a minimum of 7 days' notice for any reason, unless where fraudulent or illegal activity is suspected where cessation will be immediate.

Terminating Participation:

The process for VCS organisations terminating their participation has yet to be agreed as they will be able to leave the Lottery, if they so wish.

West Somerset Council

Scrutiny Committee – 15th December 2016

Transfer of Public Conveniences

This matter is the responsibility of Cllr Mandy Chilcott, Lead Member for Resources & Central Services

Report Author: Tim Child – Asset Manager

1 Executive Summary / Purpose of the Report

- 1.1 This report is to consider the options for public convenience buildings on and after 1st April 2017. To include where possible transfer to Town, Parish Councils or Community Groups and to also consider alternative options, if transfers are not progressed, of commercial disposal, development, demolition or alternative use.

2 Recommendations:-

It is recommended that Scrutiny support a recommendation to Cabinet to approve:

- 2.1 The transfer of the public conveniences listed in section 4.5 to Town, Parish Councils or Community Groups either freehold at £1 or leasehold at £1 per annum (if demanded).
- 2.2 All other terms and conditions of the transfers to be agreed by the Asset Manager with the approval of the Lead Member for Resources and Central Support.
- 2.3 If sites are not transferred as in recommendation 2.1, then alternative options are to be progressed of commercial freehold or leasehold disposal, development, demolition or alternative use to be agreed by the Asset Manager with the approval of the Lead Member for Resources and Central Support.
- 2.4 Any proceeds from the commercial disposal of assets to be regarded as general income to the Council, with amounts above the statutory minimum of £10,000 being credited to the Capital Receipts Reserve.

3 Risk Assessment

Risk Matrix

Description	Likelihood	Impact	Overall
Transfer of public conveniences to other parties is not completed by the 31 st March 2017.	Possible (3)	Major (4)	Medium (12)
<i>Officer time has been prioritised to this transfer work.</i>	Unlikely (2)	Major (4)	Medium (8)

Town and Parish Councils do not wish to progress the transfers.	Possible (3)	Moderate (3)	Medium (9)
<i>Sites will close on the 31st March 2017 and alternative options for disposal or other of these buildings will be considered.</i>	Possible (3)	Minor (2)	Low (6)

Risk Scoring Matrix

Likelihood	5	Almost Certain	Low (5)	Medium (10)	High (15)	Very High (20)	Very High (25)
	4	Likely	Low (4)	Medium (8)	Medium (12)	High (16)	Very High (20)
	3	Possible	Low (3)	Low (6)	Medium (9)	Medium (12)	High (15)
	2	Unlikely	Low (2)	Low (4)	Low (6)	Medium (8)	Medium (10)
	1	Rare	Low (1)	Low (2)	Low (3)	Low (4)	Low (5)
			1	2	3	4	5
			Negligible	Minor	Moderate	Major	Catastrophic
Impact							

Likelihood of risk occurring	Indicator	Description (chance of occurrence)
1. Very Unlikely	May occur in exceptional circumstances	< 10%
2. Slight	Is unlikely to, but could occur at some time	10 – 25%
3. Feasible	Fairly likely to occur at same time	25 – 50%
4. Likely	Likely to occur within the next 1-2 years, or occurs occasionally	50 – 75%
5. Very Likely	Regular occurrence (daily / weekly / monthly)	> 75%

4 Background and Full details of the Report

- 4.1 In February 2016 Council agreed, as part of ongoing savings, to seek to transfer ownership and / or management of public conveniences facilities to other organisations by April 2017, thus ceasing the cost liability of the Council.
- 4.2 Initial discussions and work was overseen by Cllr Dewdney as the Environment Portfolio Holder responsible for operational issues. As the work has progressed with the Towns and Parishes, there are also now financial and asset management considerations, which fall within Cllr Chilcott's area of responsibility.
- 4.3 The aim of the Council is to endeavour to ensure these facilities remain open to continue to serve the public. Although a date of 16th December 2016 was stated in the initial correspondence to Town and Parish Councils for agreement of Heads of Terms, the Council remain committed to work with each party to ensure transfers are progressed in a timely manner to meet the March 2017 deadline. This 16th December 2016 deadline

for agreeing Heads of Terms has been extended to 20th January 2017 to allow for the Sustainability Fund Grant applications to be determined prior to this date.

4.4 The extent of the premises to be transferred is limited to the building only in which the public conveniences are located. Where part of the building is currently let out to a third party (dual use), that part of the property will also be included in the transfer. The Tow, Parish Council or Community Group wishing to take on responsibilities will be the immediate landlord and will retain any rental income currently received.

4.5 The public convenience sites concerned are:

Warren Road, Minehead
Blenheim Gardens, Minehead
Summerland, Minehead
Quay West, Minehead
Doverhay, Porlock
Central Car Park, Porlock
Market Street, Watchet
Harbour Road, Watchet
Killick Way, Williton
Blue Anchor
Dunster Steep, Dunster
Lion Stables, Dulverton

4.6 If transfers are not progressed, Asset Management will consider alternative options for the sites of commercial disposal, development, demolition or alternative use.

5 Links to Corporate Aims / Priorities

5.1 The disposal of these facilities will assist the Council in establishing a resilient operating model that is financially sustainable, as its ongoing liabilities for these buildings will be removed.

6 Finance / Resource Implications

6.1 At Council in February 2016, as part of the Annual Budget and Council Tax Setting paper Council approved ongoing savings from 2017/18 which included £107,000 through seeking to transfer ownership and / or management of public conveniences facilities to other organisations by April 2017, thus ceasing the cost liability of the Council. This decision to progress with the budget savings is therefore reflected in the Council's Medium Term Financial Plan and budget estimates for 2017/18. Progressing with the disposal of these assets will contribute to the achievement of these savings.

6.2 Costs to the Council for the disposal of these assets arises through utilising existing officer time and the service level agreement with SHAPE legal services partnership.

6.3 In the event the assets are not transferred, there will be additional costs for commercial disposal. It is likely these will be offset against the related capital receipt, but costs incurred that do not lead to a completed disposal would be treated as a revenue cost charged to the asset management budget. Under capital accounting regulations, the proceeds of capital asset sales of £10,000 or more are to be treated as capital receipts, and by default would be transferred to the Capital Receipts Reserve. Proceeds of less than £10,000 are treated as revenue income and would be credited to the General Fund Revenue budget.

- 6.4 Transfers of the assets (sale or lease) at peppercorn results in the Council potentially foregoing the value that the assets might attract if sold on the open market. However, this is recognised as the “opportunity cost” of pursuing the preferred option of establishing alternative future arrangements for the continued provision of public conveniences in the area. The main financial benefit to the Council will be the secure delivery of the financial savings agreed by Council in February 2016.
- 6.5 Vat - Any receipts from the disposal of toilets would be classified as an exempt supply for VAT purposes and therefore the Council would have to include any VAT reclaimed on expenditure related to the provision of public conveniences in the partial exemption calculation. In recent years the partial exemption percentage has been averaging 2.4% so comfortably within the 5% limit. Based on the total 15/16 expenditure for public conveniences if this had all been included in the calculation then the partial exemption rate would have been approximately 4%. If the toilets are sold or transferred for a peppercorn rate and no actual money is received then we would not have to include the public conveniences in the partial exemption calculation because no exempt supply has taken place.
- 6.6 Insurance – the buildings are covered by the Council’s general properties policy and any toilets that are sold or transferred would be deleted from the policy. These policies have recently been renewed for the period October 2016 to September 2017 and the total premium for all the toilets was approximately £1,800. If all the toilets were deleted from the policy from the 1st April 2017 we could possibly negotiate a refund from Zurich. The budget for insurance is recharged across services at year end and this potential yearly saving of £1,800 would be in addition to the saving of £107,000 mentioned in the report.

7 Legal Implications

Update will be provided at Committee.

8 Environmental Impact Implications

8.1 None in respect of this report.

9 Safeguarding and/or Community Safety Implications

9.1 None in respect of this report.

10 Equality and Diversity Implications

10.1 An Equality Impact Assessment on the closure of public conveniences was included in the Council report referred to in section 6.1.

11 Social Value Implications

11.1 None in respect of this report.

12 Partnership Implications

12.1 A Sustainability Fund Grant Scheme of £40,000 is being set up. It is proposed to add £43,200 to this fund by ring fencing the net capital receipt from the sale of Church Street toilets in Dunster. This is to provide support to Town and Parish Councils where services have transferred. The £1,000 for each facility transferred will also be funded from this Grant Scheme. Grants will be considered for capital works only.

13 Health and Wellbeing Implications

13.1 An Equality Impact Assessment on the closure of public conveniences was included in the Council report referred to in section 6.1.

14 Asset Management Implications

14.1 The District Council's ongoing maintenance liabilities will be reduced when these premises have been transferred or sold.

15 Consultation Implications

15.1 If approved by Cabinet, the Town and Parish Councils will be made aware of the decision to transfer the sites on either a freehold or leasehold basis.

Democratic Path:

- **Scrutiny / Corporate Governance or Audit Committees – Yes**
- **Cabinet/Executive – Yes**
- **Full Council–No**

Reporting Frequency: Once only Ad-hoc Quarterly

Twice-yearly Annually

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West Somerset Council

Scrutiny Committee – 15 December 2016

Williton Hospital Stroke Unit Consultation

Report Author: Marcus Prouse – Democratic Services Officer (Scrutiny)

1 Executive Summary

- 1.1 The Somerset Clinical Commissioning Group (SCCG) our invited guests for this item, have been invited by the Committee to provide further information on the proposed temporary closure of 6 specialist beds at Williton Hospital Stroke Unit and to answer Member questions on this issue. This is a covering report for the questions and points identified in the attached appendices A and B which have been collated by concerned Councillors and Members of the Public; including the Williton Hospital League of Friends, in a desire for the Somerset Clinical Commissioning Group to respond publically to the points and questions, which they will be doing in attendance at the meeting and within a submitted Appendix C, which will be published circulated 48 hours before the meeting.

2 Recommendations

- 2.1 Scrutiny is requested to note and comment on the reports and appendices within.

3 Background and Full details of the Report

- 3.1 The Scrutiny Committee wishes to continue the positive and constructive dialogue with the Somerset Clinical Commissioning Group (SCCG) and hopes to gain some positive outcomes from this meeting; and with that there is an expectation that their questions and concerns will be answered to the fullest extent possible that they can be.
- 3.2 There will be a very brief presentation given by the SCCG to provide clarity on their broader 'Sustainability and Transformation Plan', and then more specifically how this relates to West Somerset and the Williton Hospital, where the proposed closure of 6 specialist stroke beds has led to concerns in the Community and from Councillors about how residents will be best served.
- 3.3 There was a public meeting called by the Williton Hospital League of Friends on the 9th November which took place at Danesfield School in Williton, which the SCCG did not attend. The questions and thoughts coming out of that form the basis of the Letter at Appendix A.
- 3.4 A Williton Hospital Update was considered by the Adults and Health Scrutiny Committee at Somerset County Council on the 7th December, where representatives of the SCCG did attend.

4 Links to Corporate Aims / Priorities

- 4.1 This subject area would seem to link clearly to two Corporate Priorities, and the Council has stated it aims to support rural communities and challenge the performance and plans of other Public Service Providers in the Corporate Plan 2016-2020; see also:
- 4.2 Key Theme 1: Our Communities – C) The wellbeing of older people – West Somerset has the oldest average age of any district in England.
- 4.3 Key Theme 3: Our Place and Infrastructure – C) Work with others to find solutions that ensure facilities valued by local communities and visitors (such as public toilets) continue to be available.

5 Finance / Resource Implications

- 5.1 None with regard to this report.

6 Legal Implications (if any)

- 6.1 None with regard to this report.

7 Environmental Impact Implications (if any)

- 7.1 None with regard to this report.

8 Safeguarding and/or Community Safety Implications (if any)

- 8.1 None with regard to this report.

9 Equality and Diversity Implications (if any)

- 9.1 None with regard to this report.

10 Social Value Implications (if any)

- 10.1 None with regard to this report.

11 Partnership Implications (if any)

- 11.1 None with regard to this report.

12 Health and Wellbeing Implications (if any)

- 12.1 Scrutiny has requested the presence of the SCCG as part of its remit at looking to the responsibilities for the Community with regard to Health and Wellbeing. Though Health Scrutiny is a function for the County Council, the District Council has a Community Interest in this issue and the SCCG have gratefully agreed to co-operate in partnership working and co-operation with WSC for the greater benefit of all interested parties.

13 Asset Management Implications (if any)

- 13.1 None with regard to this report.

14 Consultation Implications (if any)

- 14.1 None with regard to this report by WSC.

15 Scrutiny Comments / Recommendation(s) (if any)

15.1 Scrutiny Comments and Questions have been included at Appendix B.

Democratic Path:

- **Scrutiny – Yes**
- **Cabinet/Executive – No**
- **Full Council – No**

Reporting Frequency : **Once only**

List of Appendices (delete if not applicable)

Appendix A	Letter from League of Friends to Somerset CCG
Appendix B	Questions Document from WSC Councillors to the CCG
Appendix C	CCG Response document (TO FOLLOW)

Contact Officers

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Name		Name	
Direct Dial		Direct Dial	
Email		Email	

WILLITON COMMUNITY HOSPITAL
LEAGUE OF FRIENDS
CHARITY NO. 299272



16 Long Street
Williton
Somerset
TA4 4QN

Ann Anderson
Somerset Clinical Commissioning Group
Wynford House
Lufton Way
Yeovil
BA22 8HR

19th November 2016

Dear Ms Anderson

At a public meeting on 9th November a number of points were raised and questions asked which need to be addressed by the SCCG at the Scrutiny Committee meeting with West Somerset Council on 15th December.

The decision to close stroke beds was based on the success of ESD in Mendip. West Somerset can in no way be compared with Mendip which has a totally different demographic. Mendip has better transport links, a younger population and denser housing. No account has been taken of the massive distances between properties in West Somerset some of which still have outside toilets and no electricity. Has any consideration been given to the cost of travelling and time taken for therapists to visit patients in rural areas or the time it takes to travel even short distances in the tourist season. There are also accessibility issues in severe weather when some towns and villages can be snowed in. Have the CCG spoken to the therapists for their views?

Williton stroke beds have been full 90% of the time since the beginning of the year. How does South Petherton compare on bed occupancy?

At the present time all 12 of Williton's stroke beds are full with patients who could not benefit from ESD. Many will need complex care packages which can take a long time to set up. Who will finance any specialist equipment that may be needed in these instances?

Indications suggest Minehead hospital could be used but it is not set up for stroke patients. The staff have no specialist training in stroke care unlike Williton staff so where will the qualified staff come from. There is none of the specialist equipment necessary in stroke rehabilitation, all of which is located at Williton and cannot be easily moved.

Musgrove Park Hospital in Taunton has recently been reported as being on "Black Alert" meaning full capacity. Williton was asked to take patients but had no spare beds. Community hospitals are badly needed in such circumstances so can Williton viably reduce beds?

Has anyone consulted patients about ESD? Many patients are fearful of being sent home before

they feel able to cope. Should they not be considered when these decisions are made?

Williton hospital was well recognised as a centre of excellence for stroke rehabilitation before South Petherton was built so why is South Petherton now taking precedence. If 6 beds need to be closed why not at South Petherton instead of Williton.

With social care under pressure with increasing workloads who will be available to support patients in their homes?

What "Impact Assessment" has been undertaken on the closure of these beds?

If this is indeed a "temporary closure" when will it come to an end or is this the thin end of the wedge for the continued existence of Williton hospital?

To visit a patient in South Petherton requires a round trip of approximately 8 hours by public transport. Should a patient be sent to South Petherton in preference to Williton provision must be made to give relatives a means of getting there as the support of family and friends is essential in the recovery process.

In hospital a patient has instant support when needed whereas at home there is sometimes a wait of hours. The level of care at home cannot be compared with that in hospital

If anything Williton hospital needs extending not reducing. It is always full with new admissions waiting in wheelchairs before occupying the beds of homegoing patients being prepared for discharge

Has there been a cost comparison between keeping a patient in South Petherton and one in Williton?

Why when the Trust manages the hospital are decisions on bed closures being made by the CCG?

ESD in principal seems a sound idea but must be looked at in the context of suitability for the area in which it is intended to be introduced. West Somerset is not that area.

If anything ESD should be an additional service not a replacement for in-patient beds.

West Somerset Council requires these question together with their response to be incorporated into the CCG's report to the Scrutiny Committee at the meeting on 15th December.

They will no doubt liaise with you on the matter

Yours sincerely



Barbara Heywood
Secretary

cc West Somerset Council Scrutiny Committee

Scrutiny Committee 15th December, 2016.

Questions for the Clinical Commissioning Group re Temporary Closure of 6 Stroke Beds at Williton Community Hospital

Somerset's 'Sustainability and Transformation Plan, overview for people in our local area' sets an objective to "encourage and support everyone in Somerset to lead healthier lives". Whilst this is a laudable objective, consideration should also be given to West Somerset's demographic and geographic challenges.

The CCG press release [dated 21st Sept.2016] stated **only 40% of patients could benefit from the 'Early Release Supported Discharge Model'** – This leaves 60% that will need support via a community hospital rehabilitation bed. However the CCG are closing 50% of the bed allocation in the area.

1. How has the lack of capacity of Somerset County Council's 'adult social care' to provide home care packages, or nursing home placements, been factored in when making this decision?
2. Given West Somerset's rurality issues, what allowances (both in fuel and time) have been made for therapists visiting patients in their homes. (excluding the time taken with patients)?
3. Has the time to travel even short distances in the tourist season (particularly Mondays and Fridays on Butlin change-over days) been factored in, and if so, how will this be managed?
4. Have the accessibility issues, such as bad weather, i.e., floods, snow or a road closure – (when the alternative route is a 35 mile detour - i.e., Washford to Wheddon Cross and then to Dunster) been factored in to ensure continuity of care? If so, what measures have been put in place?

West Somerset has a considerably higher ratio of stroke than the other four districts in Somerset, possibly because it has one of the highest number of elderly people in the country, and positioned bottom in the national table for 'social mobility'.

Theme 4 of 'Commissioning for Effective Transformation' [C for EST] page 25 states "key areas for consideration are - Using predictive risk models to analyse segmented population data, and identify those patients who are at risk of a particular event".

Stroke nos. per head of population (figures taken from NHS & SCC statistics for 2014/15)

Sedgmoor	1 in 1,411
South Somerset	1 in 1,385
Mendip	1 in 1,081
Taunton Deane	1 in 1,073
West Somerset	1 in 899

Williton Hospital is closer for many Taunton Deane residents as well as those living in Bishops Lydeard, Wiveliscombe, & Milverton, and Sedgmoor residents living in Nether Stowey, Cannington, & Combwich.

Appendix B Scrutiny Committee

We understand Williton Hospital's 12 stroke beds have been 90% occupied since the beginning of the year, and the Hospital is constantly being asked if they can receive more patients from Musgrove Hospital to free up their beds.

The CCG's Statement (dated 21st September) states the closure of the 6 beds will be accompanied by "*close monitoring and regular review of stroke bed demand. Any recommendation to permanently close Williton Hospital's stroke rehabilitation beds would be subject to public Consultation.*"

The National Audit office (in C for EST) developed a toolkit to support commissioners through the 'Sustainability and Transformation' process;-

- (1) Good communication
- (2) Understanding needs and provider market
- (3) Focus on users and community
- (4) Clear rationale
- (5) Understand impact
- (6) Focus on value for money
- (7) Robust risk management
- (8) Understand costs
- (9) Good Governance

It also suggests segmenting the local population into meaningful groups. i.e. '*services that are arranged around patient needs rather than organisational constructs; commissioning services for complex groups such as the frail, the elderly, or patients with long term conditions.*' Theme 4 (of C for EST- page 29) sets an example that evidence indicates that services "*delivered closer to home can benefit certain populations and can make savings.*'

It is widely accepted that patients who receive regular visitors get better quicker. The journey by car from Minehead to South Petherton is an 84 mile round trip by car, or a 4 hour journey each way by bus, (if you can one). This journey would be too much for most elderly people to undertake on a regular basis.

5. What are the results of an '**Impact Assessment**' undertaken on how bed closures will affect not only residents in West Somerset but also the wider catchment area, and in particular the '*frail and the elderly*'?
6. How does the stroke bed occupancy rates of South Petherton compare with Williton Hospital? Please supply occupancy rates for both Hospitals over the year.
7. What is the cost of a stroke rehabilitation bed, per day (full cost recovery) for both Williton Hospital and South Petherton Hospital?
8. If there is a recommendation to close the beds permanently – as indicated in your letter referred to above) when will a Public Consultation take place? In what form will it take?
9. Service re-configurations should be 'equitable', not favouring one area over another. The incidence of stroke in South Somerset is 1 in every 1,385 of population, whereas in West Somerset the figure is 1 in every 899 people. (NHS figures 2014/15.) Please explain why all the closures are not distributed equitably?

REPORT TO THE WEST SOMERSET SCRUTINY COMMITTEE
15TH DECEMBER 2016.

1 PURPOSE OF THE REPORT

1.1 The purpose of the report is to provide the West Somerset Scrutiny Committee with information about the Early Supported Discharge (ESD) service operating across the County, including West Somerset, and to provide the rationale for the temporary closure of 6 Stroke Rehabilitation beds at Williton Community Hospital.

1.2 The report responds to a number of questions specifically raised by West Somerset Councillors and from the League of Friends at Williton Community Hospital.

2 BACKGROUND

2.1 ESD provides people who have had a stroke with care and rehabilitation in their own home which would previously have been provided in a hospital setting. During 2015/16 Somerset Clinical Commissioning Group commissioned the roll out of this service across Somerset based on a very successful model which had been established in the Mendip area between 2013/14 – 2014/15.

2.2 The service has been successfully operating in West Somerset since September 2015. During April and May this year the CCG worked with Healthwatch to hold a number of focus groups with patients and carers who had experienced ESD, including one focus group held in Williton Hospital and one in Bridgwater. The feedback from these mirrored the feedback received from the Mendip Pilot and confirmed that patients preferred to be at home; they felt more relaxed at home, their recovery was quicker, and they slept better. Importantly patients and carers felt supported and that early discharge was a good experience.

2.3 The CCG has invested £1.2 million in the ESD stroke service, and given the positive feedback and impact this has had the CCG feel it is essential to ensure this service continues. As a health commissioner with responsibility for spending public money wisely and with more patients who would have been treated in a hospital now being treated in their own homes, it is not appropriate to fund the same number of community stroke beds as well as the Early Supported Discharge Service. Following discussions with Somerset Partnership NHS Foundation Trust it was agreed that 6 beds should be closed on a 6 month temporary basis at Williton Community Hospital. This will start in January 2017.

- 2.4 During this period we will work closely with Somerset Partnership NHS Foundation Trust and the local Acute Trusts, in particular with Taunton and Somerset NHS Foundation Trust, to monitor the impact of this change. A set of metrics have been agreed with the clinicians from the Stroke Clinical Programme Group and the impact will be reviewed through this Group.

3 QUESTION REGARDING WILLITON BEDS

A number of the questions have been raised by West Somerset Councillors and the Williton Hospital League of Friends, which have been individually responded to below. For ease of reading, the individual questions and the CCG's responses have been collated into themes.

Sustainability and Transformation Plan

Somerset's 'Sustainability and Transformation Plan, overview for people in our local area' sets an objective to "encourage and support everyone in Somerset to lead healthier lives". Whilst this is a laudable objective, consideration should also be given to West Somerset's demographic and geographic challenges.

- 3.1 The Joint Health Needs Assessment has acknowledged for a number of years that West Somerset has unique challenges, including an older and more rural population. This information was used to identify the scale of the challenge in Somerset in being able to meet the health and social care needs of its residents in the coming years, and forms much of the basis for the case for change within the Sustainability and Transformation Plan.

The Early Supported Discharge Service

The CCG press release [dated 21st Sept.2016] stated **only 40% of patients could benefit from the 'Early Release Supported Discharge Model'** – This leaves 60% that will need support via a community hospital rehabilitation bed. However the CCG are closing 50% of the bed allocation in the area.

- 3.2 There is national evidence that in the region of 40% of all patients should be able to benefit from an ESD service. In Somerset patients will be referred directly from an Acute Trust and also from a Community Hospital stroke beds.
- 3.3 In the three months between August 2016 and October 2016 a total of 93 patients across Somerset were supported by ESD and 40% of those were discharged from a community hospital stroke bed to ESD and 53% directly from an Acute Trust.
- 3.4 The ESD service is able to reduce the demand on the Community Hospital Stroke Rehabilitation beds by supporting patients to go home directly from an Acute Trust, therefore avoiding a community hospital stay and by supporting earlier discharge from the Community Hospital itself.

- 3.5 In addition, the catchment area for community Stroke rehab beds at Williton Community Hospital includes the Taunton and Bridgwater areas. Patients in both these areas also access beds and rehabilitation facilities at South Petherton Community Hospital, further reducing the impact.

Adult Social Care

How has the lack of capacity of Somerset County Council's 'adult social care' to provide home care packages, or nursing home placements, been factored in when making this decision?

- 3.6 Somerset CCG acknowledges there can be difficulties in accessing complex packages of care and nursing home placements and has been working closely with Somerset County Council and our clinical service providers during the last year of the ESD service to reduce the delays in discharging patients. Somerset County Council has been procuring both Reablement and Domiciliary Care Services, which are anticipated to improve access. These services start in spring 2017.
- 3.7 There has been an increase in availability of therapy support at home for ESD patients, and rehabilitation assistants are able to provide care over a short period of time to support needs during the recovery period. This has led to a reduction in the level of domiciliary care and support required in the long term. ESD is also able to support patients in a nursing home, therefore enabling this cohort of patients to be discharged more quickly.

Considerations when commissioning the ESD Service

Given West Somerset's rurality issues, what allowances (both in fuel and time) have been made for therapists visiting patients in their homes. (excluding the time taken with patients)?

Has the time to travel even short distances in the tourist season (particularly Mondays and Fridays on Butlin change-over days) been factored in, and if so, how will this be managed?

Have the accessibility issues, such as bad weather, i.e., floods, snow or a road closure been factored in to ensure continuity of care? If so, what measures have been put in place?

Why when Somerset Partnership manages the hospital are decisions on bed closures being made by the CCG?

ESD in principal seems a sound idea but must be looked at in the context of the suitability of the area in which it is intended to be introduced and West Somerset is not that area.

- 3.8 As the commissioner of local health services, the decision on the continuation of the ESD service and the temporary closure of the beds to support the continuation of this service has been made by the CCG. However, the decision about the location of the bed closures was made jointly with Somerset Partnership NHS Foundation Trust as the commissioned service provider in order to give consideration to the wider factors involved.

- 3.9 When commissioning services the CCG, and its providers, consider factors such as the demographics, anticipated levels of need and rurality to ensure quality, safe services are commissioned which meet patient's needs. These factors were a key part of the procurement process when the countywide ESD Service was commissioned. Learning from the Mendip pilot included successfully managing travel distances, time, major events such as Glastonbury, and experiences of extreme weather conditions, particularly the floods in 2013.
- 3.10 This learning has been built on over the past 15 months of operation in West Somerset, which has included poor weather conditions, tourism and local events such as the Dunster show. The local community staff delivering this service have a significant level of experience in managing people in their own homes, and accumulated local knowledge to support managing in this part of Somerset.
- 3.11 So far 41 stroke patients living in the West Somerset area have benefitted from the ESD Service.

Impacts and Assessment

What are the results of an '**Impact Assessment**' undertaken on how bed closures will affect not only residents in West Somerset but also the wider catchment area, and in particular the '*frail and the elderly*'?

What impact assessment has been done on the closure of the beds?

Indications suggest Minehead could be used but it is not set up for stroke patients. The staff have no specialist training in stroke care unlike Williton staff so where will the qualified staff come from. There is none of the specialist equipment necessary in stroke rehabilitation all of which is located at Williton and cannot be easily moved.

Who will finance any specialist equipment that may be needed to support patients on ESD?

- 3.12 The CCG has completed an impact assessment on the temporary closure of the beds. This has identified a number of potential impacts to patients, to the Acute Trusts and to the CCG. These include:

Impact to patients and carers

- Possibility of a patient needing to access a bed at South Petherton and the impact to them of not having family on hand to provide support as well as the impact to carers of the additional travel.
- Possibility of patients needing to remain longer in an acute trust whilst waiting for a bed in a stroke rehab unit.

Impact to Acute Trusts

- Patients may need to stay longer in an acute trust whilst waiting for a stroke rehabilitation bed, therefore impacting on their ability to admit new stroke patients.

Impact to the CCG

- Potential for reduced performance against key national targets.

- 3.13 Most of these impacts have been scored low as whilst these are a risk it is felt there is a low risk and if it occurs will impact a small number of patients/carers. The CCG is putting in place a number of measures to closely monitor each of these risks along with the appropriate clinical teams.
- 3.14 If there are no available stroke beds at Williton, and it is clinically appropriate, it may be possible for a patient to be admitted to a general community hospital bed in Minehead and supported by the ESD team. However this would need to be reviewed on a case by case basis and many factors would need to be considered in determining if this is in the persons best interests, including the rehabilitation facilities required by the patient.
- 3.15 During discharge planning many factors will be considered, this includes the patients' medical and rehabilitation needs, personal circumstances and suitable services. All of these factors help to reduce the potential impacts to patients.
- 3.16 Increasingly patients across the county are opting to go to South Petherton Community Hospital for a period of rehabilitation, which due to the nature of its facilities and specialist team, has grown into a real centre of excellence for stroke rehabilitation. As in many other specialist health services there is a recognition that for a short period of time there are significant benefits and improved outcomes for patients through being prepared to travel to a more specialist centre. Whilst the travel for West Somerset patients to South Petherton would be greater, for parts of the population served by the Williton stroke beds there is no additional travel for example patients in Taunton.
- 3.17 The CCG acknowledges that travel can be difficult for some people and that support from family and friends is an important aspect of recovery from stroke. The Early Supported Discharge service has demonstrated additional value in this respect by enabling people to be at home rather than in hospital and so benefited from this support in their own environment.
- 3.18 The cost of specialist community equipment is jointly funded by Somerset County Council and Somerset CCG and the cost of this for stroke patients will be monitored. Experience and learning over the past 15 months of operation in West Somerset has given the service the opportunity to review the equipment needs of patients.

Stroke Rehabilitation Beds

How does the stroke bed occupancy rates of South Petherton compare with Williton Hospital? Please supply occupancy rates for both Hospitals over the year.

What is the cost of a stroke rehabilitation bed, per day (full cost recovery) for both Williton Hospital and South Petherton Hospital?

3.19 The available 2016 bed occupancy rates for the Stroke Rehabilitation beds at South Petherton and Williton are provided below. The West Somerset Oversight and Scrutiny Committee are asked to review this data with caution as it does not describe an accurate picture of the demand for stroke rehabilitation beds. There are many reasons for this including but not limited to:

- Williton Community Hospital figures below are based on 10 beds
- Figures may include stroke patients and non-stroke patients.
- Patients may remain in a stroke rehabilitation bed but may not have a continuing need for the stroke specialist skills, for example if they have reached their rehabilitation potential and are waiting for discharge or a package of care

	Jan 16	Feb 16	March 16	April 16	May 16	June 16	July 16	Aug 16	Sep 16
Williton	100%	100%	100%	100%	100%	100%	100%	100%	100%
South Petherton	96%	96%	88%	93%	91%	95%	93%	94%	93%

3.20 There is no difference in the costs of stroke rehabilitation beds between South Petherton and Williton Community Hospitals. The cost is in the region of £392 per day. For those patients who can benefit from ESD, this service is also a more cost effective alternative than a community hospital.

Consultation

If there is a recommendation to close the beds permanently when will a Public Consultation take place? In what form will it take?

Has anyone consulted patients about ESD, Many patients are fearful about being sent home and not being able to cope?

Has the CCG spoken to Therapists for their views?

3.21 During April and May this year the CCG worked with Healthwatch to hold a number of focus groups with patients and carers who had experienced ESD, including one group held in Williton and one in Bridgwater. The feedback from these mirrored the feedback received from the Mendip Pilot; we heard that patients preferred to be at home, they felt more relaxed at home, their recovery was quicker, and they slept better. Importantly patients and carers felt supported and that early discharge was a good experience.

3.22 We also talked to the clinical teams, both in the Acute Trusts and the ESD staff themselves to understand their experiences of the services. They spoke positively of the patient benefits and confirmed that ESD facilitates earlier discharge of patients and has resulted in a change in the stroke pathway.

- 3.23 A number of meetings have taken place recently to discuss the temporary closure of the beds within the local community and a number of letters have been received. The feedback from these has been collated and will be considered as part of the review along with any other feedback received.
- 3.24 Should the review of the temporary closure suggest a permanent closure the public consultation will take place. If this is required it is estimated this will take place during early Summer 2017. The details of what this will involve and what form it would take have not yet been considered and would be developed should this be necessary.

Closure of the Rehabilitation Beds

Service re-configurations should be 'equitable', not favouring one area over another. The incidence of stroke in South Somerset is 1 in every 1,385 of population, whereas in West Somerset the figure is 1 in every 899 people. (NHS figures 2014/15.) Please explain why all the closures are not distributed equitably?

When will the temporary closure come to an end?

- 3.25 In considering where the temporary closures should occur several factors are taken into account, including stroke prevalence and mortality, as well as the patient's needs as not all people who have a stroke will require rehabilitation and access to alternative services. In order to fund the continuation of the ESD service, which the CCG sees as a priority service, it is necessary to temporarily close a number of stroke rehabilitation beds. Due to the need to maintain safe quality standards of care it is not possible to close a small number of beds at a number of locations as this will not release the necessary cost savings. The decision was made jointly with Somerset Partnership NHS Foundation Trust, as the service provider.
- 3.26 The temporary closure of beds will start in January 2017 and is due to last for 6 months, this will be monitored though out and be followed by a review and recommendation.

4 CONCLUSION

- 4.1 Six of the stroke rehabilitation beds at Williton Community Hospital will be closed on a temporary basis in January 2017 and the CCG will continue to fund the Early Supported Discharge service during this time. A small number of potential impacts have been identified as a result of this change and these will be closely monitored over the coming months.
- 4.2 The decision to close the beds will be reviewed during this period and should this suggest a permanent closure is appropriate a formal consultation period will follow. In the meantime the CCG will continue to engage with the local community to help inform the review.

- 4.3 During the 15 months that ESD has been operational across West Somerset it has met national standards and has positively demonstrated the benefits to local patients. It has also demonstrated that it is suitable in a rural area as it enables care and rehabilitation to happen at home. Patients not only have had the opportunity to benefit from the support of family and friends but it has allowed them to work on goals specific to them which couldn't be progressed in a hospital environment. Examples might include getting upstairs to their own bed, using their own shower facilities, getting around their own home, garden and local area.
- 4.4 Benchmarking data shows that the ESD service in Somerset is supporting an older population than the national average for ESD services, as well as patients with more complex needs than other areas. It is also worth noting that the service has been nominated for a number of national awards.
- 4.5 ESD has facilitated a change in the stroke pathway and reduces the demand for Stroke Rehabilitation beds both in the Acute Trust and in the Community Hospital.

Scrutiny Committee – Work Programme 2016/17

December 15th	January 19 th (special)	February	April	June	TBC
Notes of any Key Cabinet Decisions / Action Points.	Notes of any Key Cabinet Decisions / Action Points.	Notes of any Key Cabinet Decisions / Action Points.	Notes of any Key Cabinet Decisions / Action Points.	Notes of any Key Cabinet Decisions / Action Points.	
Williton Hospital Stroke Unit Business Case Consultation		Education Update Report – Ec. Development/Scrutiny			
Council Lottery – Angela Summers					
Transfer of Public Conveniences – Tim Child					